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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 ROBERT JOSEPH LUMPKIN,

11 Plaintiff,

12 v.

13 SERGEANT ARMSTRONG,

14 Defendant.

Case No. C09-1014-RAJ-BAT

ORDER RE: PLAINTIFF'S  
PENDING MOTIONS

16 This is a civil rights action brought under 42 U.S.C. § 1983. Plaintiff has filed several  
17 motions in recent weeks. Among the motions recently received from plaintiff are two motions  
18 requesting a responsive pleading from defendant, a motion to proceed in a civil matter, a motion  
19 for default judgment, and a motion for summary judgment. In each of his motions, plaintiff  
20 complains about defendant's failure to file a timely response to his amended complaint.  
21 However, with the exception of his motion for default judgment, plaintiff apparently failed to  
22 serve his motions on counsel for defendants as required by Local Rule CR 7(b). Accordingly,  
23 those motions (Dkt. Nos. 16, 17, 18 and 20) are hereby **STRICKEN**.  
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1 With respect to plaintiff's motion for default judgment, the Court notes that defendants  
2 have now filed an answer to plaintiff's amended complaint. Accordingly, plaintiff's motion for  
3 default judgment (Dkt. No. 19) is **STRICKEN** as moot.

4 The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants,  
5 and to the Honorable Richard A. Jones.

6 DATED this 25<sup>th</sup> day of February, 2010.  
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BRIAN A. TSUCHIDA  
11 United States Magistrate Judge  
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